

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.6611 of 2007

Date: 02.04.2007

Between:

M.Rama Mohan Reddy.

....Petitioner

and

The Chief Conservator of Forests,
Hyderabad and another.

....Respondents

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ORDER:
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The petitioner applied for grant of lease to quarry 'Naparayi' over the land in 8.00 hectares in Sy.No.650/1 of Palkur Village, Banaganapally Mandal, Kurnool District, before the Deputy Director of Mines and Geology, Kurnool. The application was rejected by the Deputy Director, through the proceedings, dated 09.02.2005, on the ground that according to G.O.Ms.No.414 (Forest-III) Department, dated 10.03.1970, the said land is part of reserve forest. Aggrieved by the order of the Deputy Director, the petitioner filed an appeal before the Director of Mines and Geology. The appeal was allowed, through the proceedings, dated 07.07.2006, and it was directed that the petitioner shall obtain clearance from the Forest Department and thereafter, an application, be made to the Department of Mines and Geology. Though the petitioner filed W.P.No.21827 of 2006 against the order, dated 07.07.2006, he has withdrawn the same and, ultimately, filed an application before the first respondent on 12.01.2007, to give clearance for grant of mining lease over the said area. His grievance is that the application has not been considered so far.

Heard the learned counsel for the petitioner and the learned Government Pleader for Forests.

The Department of Mines and Geology took the view that the land over which the petitioner applied for mining lease is part

of reserve forest. While the Deputy Director rejected the application outright, the Director took the view that in case the petitioner obtains clearance from the Forest Department, his application can be considered.

The petitioner submitted an application before the first respondent on 12.01.2007. Though it cannot be said that there was undue delay on the part of the first respondent in examining it, it needs to be disposed of as early as possible. By this time, the necessary records may have been called for by the first respondent.

Therefore, the writ petition is disposed of, directing the first respondent to pass appropriate orders on the application, dated 12.01.2007, submitted by the petitioner, within a period of eight weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

02.04.2007

Note: Issue c.c. in three days.

(B/o)

kdl

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